REMARKS

Claims 1-15 are pending in the application; the status of the claims is as follows:

Claims 1-3, 6-8, and 11-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,427,423 B1 to Ejima et al ("Ejima") in view of U.S. Patent No. 5,459,511 to Uehara et al ("Uehara").

Claims 4, 5, 9, 10, 14, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ejima in view of Uehara, and further in view of U.S. Patent No. 5,424,772 to Aoki et al ("Aoki").

Claims 1, 6 and 11 have been amended to more clearly define the invention. These changes do not introduce any new matter.

A Supplemental Information Disclosure Statement is being concurrently.

35 U.S.C. § 103(a) Rejections

The rejection of claims 1-3, 6-8, and 11-13 under 35 U.S.C. § 103(a), as being unpatentable over Ejima in view of Uehara, is respectfully traversed based on the following.

The Office Action admits that "Ejima does not explicitly disclose that the exposure amount of the image pick-up element for the next frame in the sequence of photographs is calculated based on the light quantity data of a previous frame output from the light-receiving element in the sequence-photograph mode" (Office Action, page 4), but cites Uehara for this feature. The Office Action states that, in Uehara, the control aperture value is always calculated from the brightness values output from the photometric element 27. However, the Office Action asserts that Uehara discloses that the control

aperture value for the next frame is *indirectly* based on the previous brightness value by virtue of the previous aperture value. (Office Action, page 2).

Uehara discloses that when the camera is in a continuous shooting mode, the subject brightness is again computed by photometric element 27, exposure compensation is again performed, and a new control aperture value and shutter period are computed. Then, a comparison is made as to whether the computed aperture value is equal to the previous aperture value. If the computed aperture value is not equal to the previous aperture value, the aperture is driven to the appropriate value. (Uehara, col. 10, line 57 through col. 11, line 11). Thus, Uehara discloses that exposure compensation is performed base on the *current* subject brightness as provided by the photometric element 27. Once the aperture value is computed, Uehara compares the aperture value to the previous aperture value to determine whether the aperture needs to be adjusted prior to taking the picture.

In contrast to Uehara, claim 1 requires, *inter alia*, that the first controller control "an exposure amount of said image pick-up element for a next frame in a sequence of photographs *directly* based on the light-quantity data of a previous frame output from said light-receiving element." (emphasis added). As discussed above, Uehara does not disclose that the exposure amount for the next frame is *directly* based on the light-quantity data of a *previous frame output from the light-receiving element*. Even if Uehara's use of the previous aperture value can be considered to be *indirectly* based on the previous brightness value, Uehara is distinguishable from claim 1 which requires that the exposure amount be directly based on the light-quantity data of a previous frame. Thus, Ejima and Uehara fail to disclose all the features of claim 1. Claim 1 is therefore considered to be patenable over Ejima and Uehara.

Claims 2 and 3 depend from and include all the limitations of claim 1. Thus, claims 2 and 3 are patentable over Ejima and Uehara for at least the same reasons.

Claim 6 requires, *inter alia*, the step of "controlling an exposure amount of the image pick-up element for a next frame in a sequence of photographs *directly* based on the light-quantity data of a previous frame generated by the light-receiving element." (emphasis added). As discussed above, Uehara does not disclose that the exposure amount for the next frame is *directly* based on the light-quantity data of a *previous frame output from the light-receiving element*. Thus, Ejima and Uehara fail to disclose all the features of claim 6. Claim 6 is therefore considered to be patentable over Ejima and Uehara.

Claims 7 and 8 depend from and include all the limitations of claim 6. Thus, claims 7 and 8 are patentable over Ejima and Uehara for at least the same reasons.

Claim 11 requires, *inter alia*, "a controller, for controlling an exposure amount of said image pick-up element for a next frame in a sequence of photographs directly based on the light-quantity data of a previous frame." As discussed above, Uehara does not disclose that the exposure amount for the next frame is *directly* based on the light-quantity data of a *previous frame output from the light-receiving element*. Thus, Ejima and Uehara fail to disclose all the features of claim 11. Claim 11 is therefore considered to be patentable over Ejima and Uehara.

Claims 12 and 13 depend from and include all the limitations of claim 11. Thus, claims 12 and 13 are patentable over Ejima and Uehara for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 1-3, 6-8, and 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Ejima in view of Uehara, be reconsidered and withdrawn.

The rejection of claims 4, 5, 9, 10, 14, and 15 under 35 U.S.C. § 103(a), as being unpatentable over Ejima in view of Uehara, and further in view of Aoki, is respectfully traversed based on the following.

Claims 4 and 5 depend from and include all the limitations of claim 1. As discussed above, Ejima and Uehara fail to disclose all the elements of claim 1.

The Office Action cites Aoki as disclosing measurement of a photometric value (light quantity data) from a photometric element. If the photometric value is lower than a predetermined value, the strobe control circuit is initiated to start the charging of a strobe capacitor for emitting a light. (Office Action, page 6).

Aoki discloses minimizing the number of operating members used to actuate the changing or setting of various functions and modes of a camera. Aoki is not concerned with and therefore does not disclose a controller for controlling an exposure amount of said image pick-up element for a *next frame* in a sequence of photographs *directly based* on the light-quantity data of a *previous frame* output from said light-receiving element as recited in claim 1. Thus, Aoki fails to rectify the deficiencies of Ejima and Uehara. Claim 1, and dependent claims 4-5 are considered patentable over Ejima, Uehara and Aoki, individually or in any combination.

Claims 9 and 10 depend from and include all the limitations of claim 6. As discussed above, Ejima and Uehara fail to disclose all the elements of claim 6. Further, as discussed above, Aoki fails to rectify the deficiencies of Ejima and Uehara in that Aoki fails to disclose controlling an exposure amount of the image pick-up element for a *next frame* in a sequence of photographs *directly based* on the light-quantity data of a *previous frame*. Claim 6, and dependent claims 9 and 10 are thus considered patentable over Ejima, Uehara and Aoki, individually or in any combination.

Claims 14 and 15 depend from and include all the limitations of claim 11. As discussed above, Ejima and Uehara fail to disclose all the elements of claim 11. Further, as discussed above, Aoki fails to rectify the deficiencies of Ejima and Uehara in that Aoki fails to disclose controlling an exposure amount of the image pick-up element for a *next frame* in a sequence of photographs *directly based* on the light-quantity data of a *previous*

frame. Claim 11, and dependent claims 14 and 15 are thus considered patentable over Ejima, Uehara and Aoki, individually or in any combination.

Accordingly, it is respectfully requested that the rejection of claims 4, 5, 9, 10, 14, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Ejima in view of Uehara, and further in view of Aoki, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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